

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

v.

Civil Action No: 1:08cv258HSO-JMR

\$20,000.00 IN MONEY ORDERS

DEFENDANT
PROPERTY

FINAL JUDGMENT AND
DEFAULT JUDGMENT OF FORFEITURE

THIS matter is before the Court on the Motion for Judgment on the Pleadings filed by the United States of America ("Government") and, finding that the relief sought by such motion has merit and should be granted, the Court further finds and adjudicates as follow:

1. The Verified Complaint in this matter was filed on June 18, 2008, and pursuant to order of this Court, the Defendant Property, described above, was arrested by the United States Marshal.

2. Subsequently, a notice of this action and of the arrest of Defendant Property was served by certified mail return-receipt requested upon Claimant, Bladimiro Aragon and his attorney, Edward J. Abramson, as noted in the Proof of Service filed on September 16, 2008 (Ct. R., Doc.#7). On August 11, 2008, publication of the notice of the arrest of Defendant Property and of this action (Ct. R., Doc. #8) was duly completed in accordance with law and the order of this Court.

3. The notice informed all persons or entities, known and unknown, that the Defendant Property had been arrested, that this forfeiture action was pending, that they had no more than thirty-five days from receipt of notice to file their claims and twenty days after filing the claim to file their answers. Further, for guidance in the preparation of their claims and answers, the notice referred any such persons or entities to Rule G(5) of Supplemental Rules of Certain Admiralty and Maritime Claims, Title 28, United States Code, and warned that if this rule were not strictly followed any claim and answer could be stricken and a default judgment of forfeiture or summary judgment rendered.

4. The Government took all reasonable measures to insure that Claimant, Bladimiro Aragon, and any other persons or entities received such notice in a timely fashion. To this date, however, Bladimiro Aragon has only filed an "Answer to Verified complaint for Forfeiture," which fails to specifically deny all of the allegations made in the Complaint. No other person or entity has filed a proper claim, answer, or any other pleading in this case nor have they otherwise appeared herein, individually or through a representative.

5. On November 10, 2008, Claimant, Bladimiro Aragon filed a Notice to Withdraw the Claim.

IT IS, THEREFORE, ORDERED AND ADJUDGED AS FOLLOWS:

a. Based upon the Claimant's Notice of Withdrawal of Claim, the Court finds that the United States Motion for Entry of Default is found to be moot.

b. The United States of America is hereby given a judgment of forfeiture on the pleadings against the Defendant Property described above, and a default judgment against any and all persons or entities having or claiming an interest in Defendant Property.

c. Title to Defendant Property is hereby vested in the United States of America and any administrative claims or interests therein of any persons or entities, including Bladimiro Aragon, are hereby canceled.

d. Defendant Property is referred to the custody of the United States Marshal for disposition in accordance with law and regulations.

SO ORDERED AND ADJUDGED, this the 14th day of November, 2008.

s/ Halil Suleyman Ozerden

HALIL SULEYMAN OZERDEN
UNITED STATES DISTRICT JUDGE